

**CARMEL CITY CODE**

**CHAPTER 10: ZONING & SUBDIVISIONS**

**ARTICLE 2: SUBDIVISION REGULATIONS**

**CARMEL SUBDIVISION CONTROL ORDINANCE**

**CHAPTER 9: PLAT CERTIFICATES, DEED OF DEDICATION**

- 9.00 Plat Certificates, Deed of Dedication.
- 9.01 Commission's Certificate.
- 9.02 Registered Land Surveyor's Certificate.
- 9.03 Board of Public Works and Safety Certificate.
- 9.04 Board of County Commissioners Certificate.
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**9.00 Plat Certificates, Deed of Dedication.**

**9.01 Commission's Certificate.<sup>1</sup>**

The following certificate shall appear on every final plat:

UNDER AUTHORITY PROVIDED BY INDIANA CODE 36-7-4-710 AND ORDINANCES ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF CARMEL, AS FOLLOWS:

Granted Administrative approval by the Department of Community Services pursuant to Article XI of the Carmel Plan Commission's Rules of Procedure on \_\_\_\_\_, 200\_\_.

CARMEL PLAN COMMISSION

BY: \_\_\_\_\_ (Name) \_\_\_\_\_, Director  
DEPARTMENT OF COMMUNITY SERVICES  
Carmel, Indiana

(SEAL)

<sup>1</sup> Section 9.01 amended per Ordinance No. Z-486-06, §d.

**9.02 Registered Land Surveyor's Certificate.**

The following certificate shall appear on every final plat:

I \_\_\_\_\_ (Name) \_\_\_\_\_, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA:

THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME ON \_\_\_\_ (Date) \_\_\_\_; 200\_\_.

THAT ALL THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THAT THE LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN:

AND THAT ALL REQUIREMENTS SPECIFIED IN THE SUBDIVISION ORDINANCE OF THE CITY OF CARMEL HAVE BEEN MET.

\_\_\_\_\_  
(Signature)

(SEAL)

**9.03 Board of Public Works and Safety Certificate.**<sup>2</sup>

The following certificate shall appear on every final plat for a subdivision that is located wholly or partially within the corporate limits of the City of Carmel, Indiana, at the time of final plat approval by the Carmel Plan Commission:

THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF CARMEL, INDIANA, AT A MEETING HELD:

\_\_\_\_\_, 200 \_\_\_\_.

\_\_\_\_\_  
(Name), Mayor

\_\_\_\_\_  
(Name), Member

\_\_\_\_\_  
(Name), Member

\_\_\_\_\_  
(Name), Clerk Treasurer

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<sup>2</sup> Section 9.03 amended per Ordinance No. Z-486-06, §e.

**9.04 Board of County Commissioners Certificate.**<sup>3</sup>

The following certificate shall appear on every final plat for a subdivision that is located wholly or partially outside the corporate limits of the City of Carmel, Indiana, at the time of final plat approval by the Carmel Plan Commission.

UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACTS OF 1951, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, INDIANA, AT A MEETING HELD:

\_\_\_\_\_, 200\_\_\_\_.

BOARD OF COMMISSIONERS OF HAMILTON  
COUNTY, INDIANA

\_\_\_\_\_  
(Name) President

\_\_\_\_\_  
(Name) Member

\_\_\_\_\_  
(Name) Member

ATTEST:

\_\_\_\_\_  
Hamilton County, Auditor

(SEAL)

<sup>3</sup> Section 9.04 amended per Ordinance No. Z-486-06, §f.

## 9.05 Deed of Dedication Forms.

A deed of dedication, in substantially the following form, shall appear on every final for a subdivision:

We, the undersigned, (Names), owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

The subdivision shall be known and designated as (Name of Subdivision), an addition to (Political Entity). All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street there shall be erected or maintained no building or structure.

There are strips of ground (Number) feet in width as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

(Additional dedications and protective covenants, or private restrictions, will be inserted here upon the subdivider's initiative or the recommendations of the Commission. Important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitable floor areas.)

The foregoing covenants, or restrictions, are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20\_\_\_\_, (a 25-year period is suggested), at which time said covenants, or restrictions, shall be automatically extended for successive periods of 10 years unless changed by vote of a majority of the then owners of the buildings covered by these covenants, or restrictions, in whole or in part. Invalidity of any one of the foregoing covenants or restrictions, by judgment or court order, shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witness our Hands and Seals this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

STATE OF INDIANA )  
 ) SS:

COUNTY OF HAMILTON )

Before me the undersigned Notary Public, in and for the County and State, personally appeared \_\_\_\_\_ (Name), \_\_\_\_\_ (Name), \_\_\_\_\_ (Name), for each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My Commission expires: \_\_\_\_\_

I am a resident of \_\_\_\_\_ County.

(SEAL)

## 9.06 Subdivider Agreement Forms.

9.06.01 The following agreement shall be included as a submittal with the final plat approval application:

### AGREEMENT

The developer shall be responsible for any drainage problems, including standing water, flooding and erosion control, which arise or become evident at any time during the 3 year maintenance period after the release of the subdivision bond, and which is attributable to a deficiency in subdivision drainage design or construction of drainage improvements. This shall include all pipes, structures, swales, ditches and ponds which are pertinent features to the proper drainage of the subdivision.

This responsibility of the developer shall not, however, include problems which are created subsequent to the completion of the subdivision improvements by the improper grading by individual builders or structures and improper grading installed or accomplished by individual homeowners.

It is the intent of this agreement that the developer shall specifically provide such sub-surface drains, or storm sewers or ditches, as are required to properly rectify any drainage problem or sub-surface water problem which was not contemplated in the original approved subdivision design, including, but not restricted to, disposal of sub-surface water from footing drains of individual lots.

ROAD IMPROVEMENTS: The typical agreement for existing contiguous Hamilton County Roads which are substandard, with Hamilton County is:

The developer will put in 12-inch stone base to the required width of the road, and grade the shoulders to a minimum of 6 feet width and construct proper side-ditches, or, provide storm sewer and curbs. This will be the black top grade during construction of subdivision. Then the county will come in and cut out 3 inches and put in 3 inches binder asphalt after which the developer will be responsible for 1 inch of asphalt topping. This is being done as joint projects between county and developer. An agreement shall be executed, in writing, between the developer and Hamilton county specifically detailing the exact work to be accomplished by the developer and that to be accomplished by the County, and shall also state the road or roads or portions thereof which are included. If the subdivision is contemplated to be annexed to the City of Carmel, then the agreement shall include the City of Carmel Board of Public Works as a signatory, which shall be for the purpose of the City of Carmel agreeing to accept the maintenance and operation, the improved road facility upon completion of said improvements and completion of annexation.

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

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**CHAPTER 9: PLAT CERTIFICATES, DEED OF DEDICATION  
AMENDMENT LOG**

<b>Ordinance No.</b>	<b>Docket No.</b>	<b>Council Approval</b>	<b>Effective Date</b>	<b>Sections Affected</b>
Z-486-06	05120002 OA	February 20, 2006	March 22, 2006	9.01; 9.03; 9.04 Spring 2006 v1